

Law 101

It would be impossible to learn everything about all the laws that impact your life. However, it is important to at least be familiar with some basic legal background and terminology.

Where do your legal rights come from?

Essentially, the rights Americans enjoy are derived from four sources: the U.S. Constitution, state constitutions, federal laws and state laws. These rights are not absolute, as the need for order in society sometimes requires that individual rights give way to the greater right to peace, health and safety in the community.

- › **U.S. Constitution:** This sets out the powers of the federal government. The source of your individual rights is contained in the first 10 amendments (Bill of Rights).
- › **State Constitutions:** State constitutions cannot be more restrictive in the rights they grant than the U.S. Constitution. However, there is nothing that restricts states from offering rights to their citizens that go beyond those guaranteed by the U.S. Constitution.
- › **Federal and State Laws:** To a great extent, the language of the U.S. Constitution and the Bill of Rights was intentionally vague, so that its usefulness would outlive the time in which it was created. Since then, federal and state statutes have also been subject to varying interpretations.

Common legal terms

- › **Bail:** The security given (or posted) to ensure the future appearance of a defendant.
- › **Perjury:** The act of lying or stating falsely under oath.
- › **Subpoena:** Legal process which commands a witness to appear and testify.
- › **Verdict:** The determination of a jury on the facts and, usually, the legal consequences of those facts.
- › **Warrant:** A written order directing the arrest of a person issued by an authority.

Resources:

Constitution of the United States: <http://archives.gov/exhibits/charters/constitution.html>

United States Courts: www.uscourts.gov

Library of Congress: www.loc.gov/law/help/guide/states.php

American Bar Association: www.americanbar.org

New York State Unified Court System: http://www.nycourts.gov/courts/6jd/forms/SRForms/glossary_common_legal.pdf

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